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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|   |    |                               |                                     |
|---|----|-------------------------------|-------------------------------------|
| <b>TRANSMITTAL<br/>FORM</b><br>(to be used for all correspondence after initial filing) |    | <b>Application Number</b>     | 10/560,770                          |
|   |    | <b>Filing Date</b>            | June 7, 2006                        |
|   |    | <b>First Named Inventor</b>   | Itaru Tanimura, Thomas M. Callaghan |
|   |    | <b>Group Art Unit</b>         | 4143                                |
|   |    | <b>Examiner Name</b>          | Uber, Nathan C.                     |
| <b>Total Number of Pages in This Submission</b>   | 18 | <b>Attorney Docket Number</b> | 352738.00800                        |

## ENCLOSURES (check all that apply)

|  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input checked="" type="checkbox"/> Amendment / Response<br><br><input checked="" type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><br><input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><br><b>Return Postcard</b> |
| <b>Remarks</b>   |   |   |

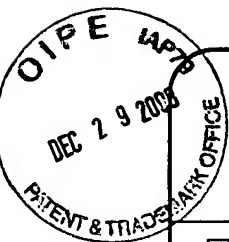
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                                |  |
|--------------------------------|--|
| <b>Firm or Individual name</b> | Doyle B. Johnson (Reg. No. 39,240)<br>Reed Smith LLP |
| <b>Signature</b>               |  |
| <b>Date</b>                    | December 22, 2008                                    |

## CERTIFICATE OF MAILING

|   |                    |             |                   |
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| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313, on this date: <b>December 22, 2008</b> |                    |             |                   |
| <b>Typed or printed name</b>  | Norma E. Gillespie |             |                   |
| <b>Signature</b>  |                    | <b>Date</b> | December 22, 2008 |

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

## Complete If Known

|                      |                                     |
|----------------------|-------------------------------------|
| Application Number   | 10/560,770                          |
| Filing Date          | June 7, 2006                        |
| First Named Inventor | Itaru Tanimura; Thomas M. Callaghan |
| Examiner Name        | Uber, Nathan C.                     |
| Art Unit             | 4143                                |
| Attorney Docket No.  | 352738.00800                        |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account:

Deposit  
Account  
Number

50-2603

Deposit  
Account  
Name

REED SMITH LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code     | Fee (\$) | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|--------------|----------|----------|----------|------------------------|----------|
| 1001         | 790      | 2001     | 395      | Utility filing fee     |          |
| 1002         | 350      | 2002     | 175      | Design filing fee      |          |
| 1003         | 550      | 2003     | 275      | Plant filing fee       |          |
| 1004         | 790      | 2004     | 395      | Reissue filing fee     |          |
| 1005         | 200      | 2005     | 100      | Provisional filing fee |          |
| SUBTOTAL (1) |          |          |          |                        | (\$0)    |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
| 19           | 2                  |                    | **33 = 0     | X              | 0        |
|              |                    |                    | **4 = 0      | X              | 0        |
|              |                    |                    |              | X              | 0        |

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  |
|----------|----------|----------|----------|--|
| 1202     | 50       | 2202     | 25       | Claims in excess of 20                                     |
| 1201     | 200      | 2201     | 100      | Independent claims in excess of 3                          |
| 1203     | 360      | 2203     | 180      | Multiple dependent claim, if not paid                      |
| 1204     | 200      | 2204     | 100      | ** Reissue independent claims over original patent         |
| 1205     | 50       | 2205     | 25       | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

0.

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051     | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |          |
| 1052     | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053     | 130      | 1053     | 130      | Non-English specification  |          |
| 1812     | 2,520    | 1812     | 2,520    | For filing a request for reexamination                                     |          |
| 1804     | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805     | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251     | 120      | 2251     | 60       | Extension for reply within first month                                     |          |
| 1252     | 450      | 2252     | 225      | Extension for reply within second month                                    |          |
| 1253     | 1020     | 2253     | 510      | Extension for reply within third month                                     |          |
| 1254     | 1,590    | 2254     | 795      | Extension for reply within fourth month                                    |          |
| 1255     | 2,160    | 2255     | 1,080    | Extension for reply within fifth month                                     |          |
| 1401     | 500      | 2401     | 250      | Notice of Appeal   |          |
| 1402     | 500      | 2402     | 250      | Filing a brief in support of an appeal                                     |          |
| 1403     | 1,000    | 2403     | 500      | Request for oral hearing   |          |
| 1451     | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452     | 500      | 2452     | 250      | Petition to revive - unavoidable   |          |
| 1453     | 1,500    | 2453     | 750      | Petition to revive - unintentional   |          |
| 1501     | 1,400    | 2501     | 700      | Utility issue fee (or reissue)   |          |
| 1502     | 800      | 2502     | 400      | Design issue fee   |          |
| 1503     | 1,100    | 2503     | 550      | Plant issue fee  |          |
| 1460     | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
| 1807     | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 1806     | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021     | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809     | 790      | 2809     | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810     | 790      | 2810     | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801     | 790      | 2801     | 395      | Request for Continued Examination (RCE)                                    |          |
| 1802     | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$).

## SUBMITTED BY

Complete (if applicable)

|                   |                  |                                   |                   |           |              |
|-------------------|------------------|-----------------------------------|-------------------|-----------|--------------|
| Name (Print/Type) | Doyle B. Johnson | Registration No. (Attorney/Agent) | 39,240            | Telephone | 415-659-5969 |
| Signature         |                  | Date                              | December 22, 2008 |           |              |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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US\_ACTIVE-100948548.1



Attorney Docket No. 352738.00800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Itaru Tanimura, et al.

Serial No. 10/560,770

Filed: June 7, 2006

Title: *Apparatus and Method for Assisting Marketing*

Group Art Unit: 4143

Examiner: Uber, Nathan C.

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**AMENDMENT AFTER FINAL OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Response to the pending final Office Action for filing in the above-identified patent application.

A listing of the **Claims** is reflected on pages 2 – 12 of this paper.

**Remarks** are reflected on page 13 of this paper.